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In re patent application of

Docket No.: 6192.0197.AA

Haeng-Seon KIM

Serial No.: 09/912,500

Group Art Unit: 2674

Confirmation No.: 6260

Filed: July 26, 2001

Examiner: LESPERANCE, Jean A

For: **FLAT PANEL DISPLAY**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR §1.181**

Sir:

In connection with the above-referenced application, a Notice of Abandonment was mailed on May 6, 2005 to indicate that this application has been abandoned in view of Applicant's failure to timely file corrected drawing as required by the Notice of Allowability within the three-month period set therein.

The first Notice of Allowability mailed on December 14, 2004 indicates that corrected drawings must be submitted including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached to Paper No. 6.

Since it was not clear as to which document was Paper No. 6, Applicant reviewed all the correspondences from the PTO, as list below, but none of the correspondences includes PTO-948 form or indicates that PTO-948 form is attached thereto.

- Filing Receipt mailed September 5, 2001
- Notice of Recordation of Assignment Document mailed October 3, 2001
- Notice of Publication of Application mailed January 31, 2002
- Non-Final Office Action mailed February 27, 2003 (Paper No. 4)
- Final Office Action mailed September 10, 2003 (Paper No. 4)
- Advisory Action mailed March 19, 2004 (Paper No. 4)
- Non-Final Office Action mailed April 28, 2004 (Paper No. 12)
- Notice of Allowability mailed December 14, 2004 (Paper No. 6)

Since Applicant has never received a PTO-948 form, Applicant contacted Examiner, Mr. Jean A LESPERANCE, to inform that the Notice of Allowability (PTO-37) was inaccurate and requested a corrected PTO-37 form.


In response, the Examiner faxed a second PTO-37 form on December 20, 2004, of which a copy is attached hereafter, which indicates that corrected drawings are no longer required. After confirming that there is no outstanding issue with the drawings, Applicant timely paid the issue fee on March 11, 2005. Nevertheless, the Notice of Abandonment was mailed on May 6, 2005.

As explained above, it is submitted that that the Notice of Abandonment is inappropriate because PTO-948 form has never been issued in connection with this application, as confirmed by the Examiner's second PTO-37 form.

Accordingly, withdrawal of the holding of abandonment is respectfully petitioned.

Prompt and favorable consideration of this Petition is respectfully requested.

Respectfully submitted,



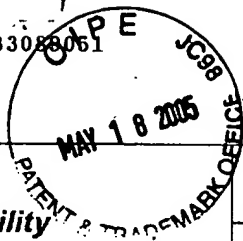
Hae-Chan Park
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Date: May 18, 2005

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ATTACHMENT: Notice of Allowability (PTO-37) faxed on December 20, 2004

\\COM510311.1

**Notice of Allowability**

Application No.	Applicant(s)	
09/912,500	KIM, HAENG-SEON	
Examiner	Art Unit	
Jean E Lesperance	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/6/2004.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☒ The drawings filed on 7/26/2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |